

## **REMARKS**

This Amendment is in response to the Office Action dated November 1, 2005.

### **I. Status of the Amendments**

Prior to this amendment, claims 41-44, 47-62, 65-78 and 81-94 were pending, and claims 1-43, 45-46, 63-64, and 79-80 were canceled. By this amendment, claims 41, 59 and 77 are amended. Thus, claims 41-44, 47-62, 65-78 and 81-94 are at issue.

### **II. Interview Summary**

On December 29, 2005, a telephone interview was held between Examiner Mosser, Jeff Berger and Paul Craane. During the interview, the examiner suggested language to distinguish value used to buy a pass from value used to place a wager. Such language is reflected in the amendments to the claims.

### **III. Response to the Office Action**

Claims 41, 59 and 77 were rejected under 35 USC § 112, second paragraph, on the basis that the limitation "the effect" allegedly lacked antecedent basis. This language has been canceled from claims 41, 59, and 77. The applicant requests that the rejection be withdrawn.

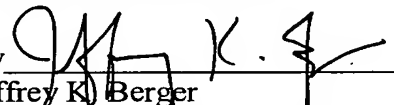
Claims 41, 59 and 77 were also rejected under 35 USC § 103(a) over Turner (United States Patent No. 4,684,136 in view of Walker (United States Patent No. 6,193,606) in further view of Marnell (United States Patent No. 5,393,057). In keeping with the examiner's suggestion, independent claims 41 and 59 have each been amended to recite, in part, "wherein neither the amount of money nor number of game credits is associated with the wager." Independent claim 77 has been amended to recite, in part, "wherein neither the amount of money nor number of game credits is apportioned from the wager." By way of these amendments, independent claims 41, 59 and 77 are believed to be allowable over the

cited references, as are the respective dependent claims, 42-44, 47-58; 60-62, 65-76; 78 and 81-94. The applicant requests that the rejections be withdrawn.

The applicant believes these amendments place the case in condition for allowance, and reexamination is requested. If the examiner has any questions regarding this amendment, he is invited to contact the undersigned. No fees beyond the RCE and one-month extension of time are believed due, but if a fee is required, the Commissioner is directed to charge deposit account 13-2855.

Dated: March 1, 2006

Respectfully submitted,

By   
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